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TAGS: [KLIG](#) [KJUS](#) [MARR](#) [MOPS](#) [GM](#)

SUBJECT: GERMAN PROSECUTOR REQUESTS ASSISTANCE IN KURNAZ  
CASE

REF: A. 06 BERLIN 3555

[¶](#)B. 1/8/07 NEUMANN-EUR/AGS EMAIL

[¶](#)1. (U) This Cable contains an Action Request. Please see  
para 4.

[¶](#)2. (SBU) The State Prosecutor's Office in Tuebingen has  
contacted the Staff Judge Advocate, Stuttgart Law Center,  
asking for further information in connection with events  
Murat Kurnaz -- a Turkish citizen resident in Germany --  
alleges to have happened to him in a U.S.-run prison facility  
in Kandahar. Kurnaz was detained in Guantanamo beginning in  
2002 and returned to Germany in 2006. The request follows  
the earlier (ref A) request for videos of his alleged  
questioning by German officials, sent from the Bundestag's  
Investigating Committee to the Ambassador. The Tuebingen  
State Prosecutor announced January 8 that he will open  
preliminary proceedings against two German Special Forces  
soldiers (ref B). The two soldiers are alleged to have used  
inappropriate force on Kurnaz during his reported detention  
in the Kandahar facility in January 2002.

[¶](#)3. (SBU) Kurnaz made his allegation against two soldiers  
assigned to the KSK (Kommando Spezialkraefte - German Special  
Forces), a unit stationed in Calw (within the jurisdiction of  
the State Prosecutor in Tuebingen). Dr. Michael Pfohl is the  
Chief Public Prosecutor in the office of the State Prosecutor  
in Tuebingen, and is in charge of investigating the  
allegations of abuse by German soldiers. Pfohl requests  
information from the USG in connection with the case. He  
also said the case will be subject to the statute of  
limitations soon and therefore he requests an answer as soon  
as possible. Pfohl told the Office of the Staff Judge  
Advocate, Stuttgart Law Center, 21st Theater Support Command  
he is preparing an official request to U.S. authorities and  
requested guidance concerning to whom to address his request.  
He said his questions are:

- Is it possible for trucks or smaller vans to drive into the  
compound/prison/camp?

- If yes, is it true that the vehicles would enter the

compound on a regular basis to clean toilets and other excrement containers?

- Is it possible to name an individual within the administration or command of the Kandahar prison camp who would be able to testify to the above subject?

- Is it possible to name any individuals who accompanied the German soldiers on their tour of the Kandahar Camp?

¶4. (SBU) Post requests guidance in how to respond to the Prosecutor's questions.

¶5. (U) This Cable was coordinated with USAREUR.  
TIMKEN JR